

DOUGLAS AVIATOR WITHOUT FOOD 3 DAYS, FORCED TO LAND IN BIG BEND SECTION

SANDERSON, Tex., Feb. 16.—Lieut. Alexander Pearson, Jr., army aviator, who has been missing since February 19, rode on horseback into Sanderson tonight. He had been without food for three days and had ridden burros, walked, swam and floated down the Rio Grande before reaching here, according to his story.

His plane fell Thursday, he told the station agent, S. W. Caulfield, and since that time he has been struggling to reach human habitation. He says he does not know the location of his fall. His machine was damaged by the accident, he says, but he escaped unhurt.

At 7 p. m. the aviator walked into the telegraph office here. His uniform was in tatters. The stubble of his beard showed many days' growth. He asked for a message blank and signed it.

The message was to Miss Margaret Shannon at Douglas, Ariz. It read: "Arrived at Sanderson O. K. See you soon."

The station agent notified El Paso and the ceaseless quest that 65 army planes had been making for six days was at an end.

Pearson said he was forced to land in a desert-like area in the Big Bend country. The new crankshaft of his machine failed to work properly, he said, and forced his descent.

Not a sign of human habitation was visible. He waited until the water in his engine had cooled, drew off some for drinking purposes and set forth to find some means of communication. Darkness overtook him, he said, before he met anybody.

The next morning at dawn he continued his quest. A sandstorm almost blinded him as he trudged wearily across the desert. He had been without food for two days, he said, and lack of it had weakened him.

The third day was a repetition of the second, he said. The unrelenting wind buried swirls of cutting sand into his face and temporarily blinded him. Late in the afternoon he reached the Rio Grande. Tired to swim, he tried to swim.

On the morning of the fourth day he plunged into the river and, with aid of a floating log, swam down stream. He had been in the water almost an hour, he says, when he saw two ranchmen. They helped him to climb from the water, gave him some food and a burro and escorted him here.

LIVESTOCK AND RANGES

PHOENIX, Feb. 17.—Nearly an inch of snow falling on the northern range early Tuesday morning was of considerable benefit to stock, pasturing far from established water holes. Recent snows in the northern section have increased the water supply generally but a few spots where the deficiency had been marked are still short, noticeably Williams, where a very little improvement is reported. Over the northeastern plateau where lack of winter rains had caused much discouragement among stockmen recent snows have caused a reversal of feeling, water is reported as plentiful and stock looking well. While a few nights during the week were cold most of the daytime temperatures were high, resulting in the almost complete denudation of snow from the ranges. The reporter at Ft. Apache states that the weather has been quite warm and the only snow visible is on the mountains. Unusually high winds prevailed over the state Monday but fortunately the weather was warm. The forest service ranger at Ryan, in the Arizona Strip, states that conditions in that section during January were greatly helped by the presence of light snow throughout most of the month. Forest Ranger Kartchner at Heber states that the snow in his section ranges from one to ten inches in depth and unlike most of the snow now on the ground is moist. More moisture is greatly needed in southwestern New Mexico where the range continues poor. Droughty conditions of range and stock prevail in the vicinity of Douglas and Nogales and very little planting is being done in the section about Nogales owing to lack of moisture.

Ajo—New Cornelia preparing to work sulphide ore of property.

SEALE CASE COMPLETED

The trial of J. B. Seale, charged with attempt to commit murder on the person of R. K. Lewis, at McNeal a year ago, was completed this afternoon in the Superior Court, following two days' introduction of testimony, which began yesterday.

This morning when court opened J. B. Seale, the defendant, who was on the stand last night at 5 o'clock when evening recess was taken, resumed the witness chair and completed his testimony. His testimony was substantially the same as that of his brother, Frank Seale, who was on the stand yesterday afternoon for over an hour, and who was present when the alleged shooting of Lewis occurred.

Following the testimony of the defendant, the balance of the morning session up until afternoon recess, at 1 o'clock, was taken up by the testimony of character witnesses put on by the defense. Eleven witnesses testified as to Lewis' character as well as to the character of the defendant, a number of instances in which Lewis was involved being brought out. Witnesses for the defense were Fred C. Moore, John Sheek, W. D. Enfield, Robert Perrin, J. E. Lovelady, Martha Lovelady, C. L. Delaney, Allen R. Hood, Joe Hood, G. H. Kelly, Morris Catlin, Enfield and Frank Seale were also recalled by the defense.

Following the testimony of Morris Catlin for the defense, the defense rested and after a short recess G. K. Lewis, the complaining witness was put back on the stand in rebuttal. His testimony, however, was brief.

The state announced their case is completed and both sides announced they wished to argue to the jury. Assistant County Attorney Walter Roche opened the arguments, followed by Alexander Murry, assistant counsel for the defense. He will be followed by J. T. Kingsbury, chief counsel for the defense and County Attorney J. V. Ross will close for the state.

Judge Lockwood announced that if possible he would ask that arguments of attorneys be completed by evening recess at 5 o'clock in order that the case might go to the jury by that time.

At 4:30, however, Alexander Murry, defense counsel, was still arguing to the jury, which means that arguments will not be completed until tomorrow morning, when the case will go to the jury.

MEMORY OF ARIZONA HERO TO BE HONORED

PHOENIX, Feb. 17.—Officers in the United States air service have made a donation to the museum in the National Red Cross headquarters in Washington, D. C., in the name of Frank Luke, Jr., the American ace. In this museum, which is to be a memorial to all Red Cross workers of the late war, will be a miniature model typifying the work of the Red Cross with the aviation service in France. The name of the Arizona war hero at present appears on the temporary inscription on the side of the model which will be replaced later by a bronze tablet. Word of the honor to his son, who lost his life overseas, was received yesterday by Frank Luke, state tax commissioner, from Irene M. Givens, curator of the museum.

SENATE PASSES FORDNEY

WASHINGTON, Feb. 16.—Loaded with more than a score of amendments, the Fordney emergency tariff bill tonight passed the senate. The vote was 43 to 29 and the measure was immediately sent to conference.

Action on the bill, designed and rushed through the house as an aid to the farmer, came after a protracted session during which four Republican senators broke down their party alignment and two of them, Edge of New Jersey and Moses of New Hampshire, bitterly assailed the measure and its Republican supporters. Likewise, solidarity of the Democratic ranks could not be maintained, nine being recorded for the bill.

TO SELL STATE LAND

PHOENIX, Feb. 12.—Public sale of 640 acres of state land will be conducted at Chilton next Tuesday by C. E. Ashley, chief accountant of the state land department.

YOUTH BRAVES DEATH

TUCSON, Feb. 17.—Braving death, Eddie Higuera, 18, 28 West Third St., saved Anale Flood, 16, from her burning home at 129 East Pennington St. just before noon Wednesday.

Miss Flood was in the house with her mother, Mrs. Walter E. Flood, and her brother, Leslie, 13, and was washing some silks in a tub of gasoline. The gasoline caught fire and as the flames enveloped her Miss Flood screamed.

Higuera was at his work in a garage at the rear of the house. He looked up just as the flames shot out the back door of the Flood home. Running through the sheet of fire he grasped the tub of flaming gasoline and pulled it into the yard, suffering severe burns to his right hand.

The gasoline spilled and the flames spread through the kitchen. Higuera ran back to the house. He heard the girl crying inside. Masking his face with his sleeve he went back into the kitchen, found the girl crouched behind a door and half-carried her outside to safety.

Meanwhile an alarm had been turned in and when fire apparatus arrived the young man was carrying furniture from the house. The fire was extinguished after it had partially destroyed the kitchen and an adjoining room. The girl was severely burned on her hands and neck.

Mrs. Flood had made an ineffectual attempt to get the girl from the kitchen when the fire started, but had been driven back by the flames. She suffered severe burns.

NEW ATTACK ON FREIGHT RATES ON HAY IS MADE

DOUGLAS, Feb. 17.—Complaints attacking freight rates on hay from Phoenix and points taking the same rate to Douglas and Bisbee, and from Gila valley towns, Fort Thomas and other points taking the same rates to this city, yesterday were prepared by E. R. Raumaker, manager of the Chamber of Commerce for filing with the interstate commerce commission and the state corporation commission. The complaints name as defendants the El Paso & Southwestern, the Arizona Eastern and the Southern Pacific railroads and John Barton Payne, director general of railroads, as agent.

Recently Mr. Raumaker complained informally that the hay rates to Douglas had been increased 25 per cent without authority. The corporation commission sustained his contention and ordered cancellation of the alleged illegal tariff. However, Raumaker now charges that the rates, after revocation of the 25 per cent increase, still are discriminatory and the new complaints seek relief. He alleges that rates on hay from Phoenix to El Paso, for instance, are the same as rates on the same commodity from Phoenix to Douglas, and that the rates from Gila valley points to Douglas are even higher than they are from those points to Douglas.

Refund on past freight payments is asked. The complaint with the interstate commerce commission is intended to cover the period during which the carriers were under federal control.

OLDEST ARIZONA MAN, 106, LIVES IN GILA COUNTY, WAS PIONEER

GLOBE, Feb. 17.—Winkelman, this county, is the home of a man believed to be the oldest white man in this state. He is Dan W. O'Carroll, now 106 years old.

O'Carroll came to Gila county in 1889 and located a group of copper mines in the southern part of the county. For 18 years he worked the claims, attending closely to business, leaving only when it was necessary to get employment and funds for a further grub stake.

In 1905 he sold out to the organizers of the London and Arizona Copper company and removed to Phoenix. Only recently he returned to Gila county.

O'Carroll was born in Westminister county, Ireland, January 27, 1815.

WANTS SOLDIERS LIVING IN STATE A YEAR TO BE ABLE TO GET DIVORCES

PHOENIX, Feb. 17.—Right to sue for divorce would be accorded soldiers, sailors and marines stationed in Arizona one year, if the legislature

passes a bill to be introduced by Representative I. P. Grazer, Santa Cruz county, it was announced yesterday.

Under the present law a service man cannot sue for divorce in Arizona, because he is not a bona fide resident within the intersection of the law. No matter how long he may remain in the state he cannot acquire legal residence. The proposed bill would limit the privilege extended service men to court rights and they would not be allowed to vote.

JURY REFUSES TO AWARD MORE DAMAGES AFTER MAN PAID FOR INJURY

TUCSON, Feb. 18.—Of unprecedented interest to all organizations employing labor in large numbers is the verdict rendered in the case of Fred E. Bevan versus the Phelps-Dodge corporation, which came to an end in the United States District Court Wednesday. After a deliberation of but ten minutes the jury returned a verdict in favor of the defendant, finding that Bevan had released the Phelps-Dodge Corporation from all obligation for injuries sustained, when he signed a release, upon receipt of \$2,500.

In the suit tried before Judge William H. Sawdelle, which was ably defended by John E. Sanders, of the firm of Ellinwood & Ross, attorneys for the Phelps-Dodge Corporation.

Bevan, who asked for damages in the sum of \$32,500, sought to avoid the effect of the release signed by him, by claiming that he signed the document without reading it, and was under impression that he was signing a receipt for \$2,500, paid him by the company, for time lost and expenses incurred through injury.

Bevan sustained a broken leg three years ago in the White Tail Deer shaft of the Copper Queen mine.

Three months later, the Phelps-Dodge Corporation made settlement for the injury and received in turn from Bevan a signed release.

Notwithstanding this, Bevan in 1919, filed suit against the mining concern for \$32,500.

Unusual significance was attached to the disposal of this case by the jury, in the opinion of attorneys who watched the proceedings with interest, for, had the jury granted damages to Bevan in spite of the fact that he had signed a release to the defendant, it would have rendered valueless every written instrument of the kind, and would have flooded the federal court with cases already settled out of court.

It would have had a far-reaching effect as well on the future settlement of personal injury cases, and would have worked a severe hardship on deserving cases of personal injury, as employees would thereafter decline to make settlements for injuries sustained by their employees, whether the case was deserving or otherwise, attorneys say. Employers would hardly be justified in making payment to injured workmen without being protected against the bringing of lawsuits after settlement had been made.

Another angle to the situation, had the jury rendered a different verdict, is suggested, by the fact that, with the flooding of courts with personal injury cases, a deserving man, in need of money, would in many cases have to wait for years, before his suit could receive the attention of the courts.

"MISSING" WOMAN ACCUSED OF DRAWING GUN ON BENEDICT

TUCSON, Feb. 17.—The case against Miss Marguerite Fiel, charging her with drawing a pistol on F. O. Benedict, set for trial before Justice O. L. Pease, this morning, was continued until a later date. It is alleged that Miss Fiel drew the pistol and threatened Benedict during a dispute growing out of a land deal, in which Benedict acted as agent.

Miss Fiel was the center of a mild sensation a few days ago when she and her niece were supposed to have been lost on an automobile ride. They later appeared at Phoenix and said that they had gone there to transact some business. The disappearance caused a day's search for them to be instituted by officers of the sheriff's department.

Mayer—Gold reduction mill to be installed on Malby and Lane property.

SENATE COMMITTEE APPROVES BILL FOR STATE SCHOOL FUND

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message the following measures:

Changing the date of filing primary election petitions.

Amending the Prescott charter.

Permitting boards of supervisors to fill legislative vacancies.

Prohibiting collusion in bidding on public work or supplies.

Punishing certification of fraudulent claims.

Amending the blue sky law.

Amending civil procedure relative to joining actions.

Giving police court concurrent jurisdiction of the peace courts.

Permitting changes of articles of incorporation of churches and similar bodies without reincorporation.

Permitting change of venue in justice courts.

Fixing county office hours.

Fixing salaries of court reporters.

Providing for destruction of wild burros.

House bill No. 119, prohibiting grazing on public lands in irrigation districts of 10,000 acres or more, passed the house by a vote of 23 to 15.

Substitute house bill No. 19, concerning the practice of medicine, passed the house by vote of 29 to 8.

Senate bill No. 72, providing \$6228 to pay expenses of the Pioneer's home until the end of the present fiscal year, passed the house without division.

Long residence and a big family influenced the state corporation commission to issue an order today which allowed a Bisbee resident named Godinas to continue to operate a motor stage line between Lowell and Don Luis, serving Tin Town. The same order denied applications by W. D. Makintosh and Pinner and Murphy for certificates of convenience and necessity to operate on the same route, both applicants admitting there was business enough for only one line.

Basis of the applications, filed November 22, last, and heard in Bisbee February 7, was that service furnished by Godinas was inadequate, his equipment old and that he failed to maintain schedules. Godinas produced witnesses who testified most of his passenger traffic consisted of Mexicans and that they were satisfied with the service. In view of the alleged satisfactory nature of the service already being rendered and also because Godinas had lived in Bisbee 22 years and had a family of 11, the commission allowed him to retain his certificate and denied the other applicants.

Douglas License Granted

On December 4, 1920, the Douglas Cochise Stage company applied for a certificate to operate a passenger and express motor stage line between Douglas and Cochise. Similar application was filed January 1, last, by the Motor Transit company, but was withdrawn. In a hearing at Bisbee February 7 on the Douglas-Cochise application, showing was made that the line would parallel the El Paso & Southwestern railroad, which had reduced its daily schedule to triweekly service. The stage line also would make direct connection with the Motor Transfer company stages operating between Cochise and Bisbee. The application was granted in an order issued today.

OWNERS OF LAND DURING CARRANZA REGIME, WILL BE PAID UNDER RULING

MEXICO CITY, Feb. 17.—All land owners in Mexico who were deprived of their property as a result of decrees issued during the Carranza administration would be paid under the provisions of a bill, submitted to the presidential legal staff today by President Obregon. Should the staff approve of the measure, it will be presented to congress.

Tucson—Experiments for domestication of wild rubber plant under way at local plantation.

Miami—Miami Copper Co. installing improvements costing \$750,000.

Phoenix—Lower freight rates on hay and straw from northern to southern parts of states secured.

Prescott—Yavapai county tax rate 93 cents on \$100 valuation being lowest county tax in the state.

FRIDLEY JUMPS HIS BAIL AND FLEES THE CAPITAL

PHOENIX, Feb. 17.—Bench warrant was issued today by United States Commissioner John B. Henke, of Phoenix, for Ray F. Fridley, former prohibition enforcement agent, arrested last week on a charge of conspiracy to violate the national prohibition law. Fridley, who was at \$5,000 bond, failed to appear before the commissioner today for preliminary examination. Federal officials believed he had gone to Mexico.

It was charged that Fridley drove to Yuma, secured a large quantity of whisky and brought it to Phoenix for sale. He was arrested shortly after midnight recently when officers received information he was about to leave the city. He was arraigned and released on bond, pending preliminary examination.

When Fridley failed to appear today for the examination his bondsmen told the commissioner that they had taken steps to have him arrested and that officials in every town through which he would have passed in going to the Mexican border had been notified to take him into custody.

Authorities said they found Fridley's stage fare to Yuma had been paid by his wife with a diamond ring.

Commenting on Fridley's status as a prohibition enforcement agent, officials asserted he had been forced to resign from the service several weeks ago after the session of the federal grand jury and that he was not a prohibition agent at the time of his arrest.

JURY HEARS OF CONFESSION OF TEMPE MURDER

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ed with the followup process, which makes extermination even more certain. Normally, the first poisoning kills from 85 to 98 per cent of the rodents; the followup is regulated to exterminate the survivors. In carrying out the work, 1,616 tons of poison of grain were distributed.

The reports show clearly that the rodents cannot resist organized efforts to drive them out, but they also show that neglect on the part of the farmers and ranchmen may encourage a second invasion. In Kansas, after years of effort, the extermination of prairie dogs was accomplished with the exception of a few scattering towns. Through neglect by the land owners the rodents are again spreading their colonies to areas from which they have once been driven. Effort is now being concentrated upon these remaining small towns to complete eradication and thus prevent reinfestation of the state.

VITAL CHANGES IN INCOME TAX LAWS ARE EXPECTED

PHOENIX, Feb. 17.—Arizona's income tax law is expected to be changed with Texas as to income tax returns on community property, according to a telegram received today from Senator Henry F. Ashurst, of Arizona, by J. L. B. Alexander, of Phoenix, in response to an inquiry from Alexander. The ruling applied to Texas was that husband and wife might list separately the income from community property which would result in a material saving, it was said, in the tax to be paid on incomes above \$5,000.

Senator Ashurst's message follows: "Regarding your letter I called today at the department of justice and again urged that immediate decision on the question of separate returns of income taxes be rendered and I pointed out that Arizona statutes regarding community property laws were practically identical with the Texas statutes and I urged that the same decision be rendered as in the Texas case. I am today assured by the department of justice that a decision will be rendered within a week."

"Of course, the department of justice refused to disclose what the decision would be; but, speaking as a lawyer, I do not see how the department could possibly render any other decision than it rendered in the Texas case. Please inform all interested persons."

Bowie—General business condition in San Simon and Gila valleys greatly increased.